

IX Diplomatic and Consular Privileges and Immunities From Criminal Jurisdiction

Summary of Law Enforcement Aspects

Category		May Be Arrested or Detained	Residence May Be Entered Subject to Ordinary Procedures	May Be Issued Traffic Citation	May Be Subpoenaed as Witness	May Be Prosecuted	Recognized Family Member
Diplomatic	Diplomatic Agent	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
	Member of Administrative and Technical Staff	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
	Service Staff	Yes ²	Yes	Yes	Yes	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
Consular	Career Consular Officers	Yes, if for a felony and pursuant to a warrant. ²	Yes ⁴	Yes	No—for official acts. Testimony may not be compelled in any case.	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
	Honorary Consular Officers	Yes	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes.	No immunity or inviolability.
	Consular Employees	Yes ²	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
International Organizations	International Organization Staff ³	Yes ³	Yes ³	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes ³	No immunity or inviolability.
	Diplomatic-Level Staff of Missions to International Organizations	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
	Support Staff of Missions to International Organizations	Yes	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes.	No immunity or inviolability.

¹Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.

²This table presents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy **higher** levels of privileges and immunities on the basis of special bilateral agreements.

³A small number of senior officers are entitled to be treated identically to “diplomatic agents.”

⁴Note that consular residences are sometimes located within the official consular premises. In such cases, **only** the official office space is protected from police entry.